

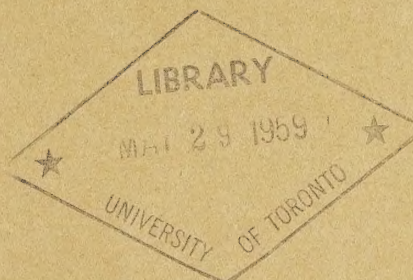
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PROVINCIAL AGRICULTURAL LEGISLATION



in Quebec and Ontario


1957-1958 supplement

CANADA DEPARTMENT OF AGRICULTURE
ECONOMICS DIVISION
OTTAWA, MAY 1959

PREFACE

This publications is the second supplement to "Provincial Agricultural Legislation in Quebec and Ontario, 1955". It brings up to date the summaries of agricultural statutes included in that bulletin by outlining the nature of the amendments and new legislation contained in the Statutes of Quebec 1957-58 and Statutes of Ontario 1958. As in the earlier bulletins, the summaries have no legal standing and should be used only for reference purposes.

The page numbers in this bulletin run consecutively with those in the two previous bulletins and the index starting on page 76 contains references to legislation in all three bulletins.



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2. PRODUCTION

(a) General

O N T A R I O

GAMES AND FISHERIES ACT, amendment, S.O. 1958, c.31.

See also 1955 bulletin p.7; 1957 supplement p.51.

Several small amendments were made in the wording of some sections, one allowing farmers to hunt or trap beaver as well as other animals on their own land without a license. Other amendments dealt with the possession of game by hotels and clubs, guide requirements and fees for pelt dealers, export of game and trespassing on Crown land used as fur farms, bird farms or trout stations.

(c) Livestock

O N T A R I O

STALLIONS ACT, amendment, S.O. 1958, c.101.

See also 1955 bulletin p.11.

An additional clause allows the Lieutenant-Governor in Council to exempt any breed or class of stallions from regulations under the Act.

VETERINARIANS ACT, S.O. 1958, c.121.

The Veterinary Science Practice Act, R.S.O. 1950, c.409, is repealed and the subsisting regulations revoked. Interpretation of terms, a definition of "veterinary science" and the scope of application of the Act are included, as under the old Act.

The Ontario Veterinary Association remains as a corporation and has the power to acquire, lease, mortgage or sell property. Composition of the Association council, election of officers and fees and expenses are outlined. The Council may pass by-laws regarding the management of the Association and conduct of its affairs.

No person may practice veterinary science in Ontario unless he is registered as a member of the Association, and no person other than one who is eligible for registration may use the title "Veterinary", "Veterinarian" or "Veterinary Surgeon".

Eligibility for registration requires graduation in veterinary science from the Ontario Veterinary College, the University of Toronto,

a college or university recognized by the council, or possession of a certificate from the Minister issued under the Veterinary Science Practice Act, 1920 or 1927.

Registration fees, powers of the council, offences, suspensions and fines are outlined in the new Act.

3. LAND POLICY

(a) Development, conservation, drainage and irrigation

ONTARIO

PUBLIC LANDS ACT, amendment, S.O. 1958, c.86.

See also 1955 bulletin p.17; 1957 supplement p.53.

When an application to purchase is received for public lands not yet surveyed, the Surveyor-General may require a survey to be made at the expense of the applicant, before completing the sale. Other changes in this amendment concern recreational lands, ownership of trees and sub-division of Crown land into lots.

TILE DRAINAGE ACT, amendment, S.O. 1958, c.118.

See also 1955 bulletin p.18; 1957 supplement p.54.

The maximum limit on the amount of surplus from the Consolidated Revenue Fund which may be invested at any one time in debentures issued under this Act is increased from \$3,000,000 to \$5,000,000.

(c) Tenure and assessment

ONTARIO

ASSESSMENT ACT, amendment, S.O. 1958, c.4.

See also 1955 bulletin p. 23 and 43; 1957 supplement p.55.

All real property in Ontario is liable to assessment and taxation, subject to certain exemptions. The value of machinery used for manufacturing and farming purposes that is exempt from taxation shall not be entered on the assessment roll.

CERTIFICATION OF TITLES ACT, S.O. 1958, c.9.

The owner of an estate in fee simple in land under this Act may apply to the director of titles to have the title investigated and certified. Supporting material required to accompany the application is listed. The director of titles provides notice of such an application,

and adverse claims may be filed with him. After investigation, the director will set out his findings and notify all interested parties. Appeals may be made, within 15 days, to a Supreme Court judge. An applicant for investigation or adverse claim may be ordered to pay all or part of the costs of any proceedings on his account. The effect of a certificate of title is that the title of the owner is absolute and indefeasible as regards the Crown.

An assurance fund is set up to compensate persons who may be wrongfully deprived of land or some estate by reason of the title being certified under this Act. The fund is made up from a levy on applicants for certificates of one-tenth of one per cent of the value of the land concerned, (including the value of buildings) up to a maximum of \$300. The Lieutenant-Governor in Council may make regulations prescribing deposits on applications, fees payable for performance of any official function under the Act, powers and duties of Examiners, standards for surveys, and administrative procedures.

LAND TITLES ACT, amendment, S.O. 1958, c.65.

See also 1955 bulletin p.23; 1957 supplement p.56.

An added section provides for the Lieutenant-Governor in Council to appoint an Examiner of Titles and one or more assistants to perform duties in connection with plans, surveys and descriptions of land under any Act administered by the director of titles. One point clarified by the amendment is that an absolute title cannot be defeated by any length of adverse possession. A set of regulations is outlined regarding plans, duplicates of plans and other information required for registration. The procedures for land surveyors in registering subdivision plans, correcting plans and modifying surveys are included.

REGISTRY ACT, amendment, S.O. 1958, c.94.

See also 1955 bulletin p.23; 1957 supplement p.56.

A new sub-section provides that the registrar may not register a plan of subdivision of land under "The Certification of Titles Act, 1958" unless the person tendering the plan is the owner of the land. Also, a certificate of title must be registered and the consent of all persons having an interest in the land must be endorsed on the plan and signed by all concerned.

4. FINANCE

(a) Farm Credit

Q U E B E C

QUEBEC FARM CREDIT ACT, amendment, S.Q. 1957-58, c.3.

See also 1955 bulletin p.24; 1957 supplement p.56.

The Minister of Finance of the Province is authorized to pay out of the consolidated revenue fund, to the Quebec Farm Credit Bureau, \$15

million in addition to the 155 million dollars already authorized to loan to farmers. The loans to be made to farmers from this additional credit will bear interest at two and one half per cent per annum, payable semi-annually and repayable either in 30 years by amortization at one and one half per cent per annum during the period and payment of the balance at expiration, or in 39 and a half years, by amortization at the same rate.

5. MARKETING

(a) General

Q U E B E C

QUEBEC AGRICULTURAL MARKETING ACT, amendment, S.Q. 1957-58, c.26.
See also 1957 supplement p.57.

The Quebec Agricultural Marketing Board has the right to conduct inquiries as to the costs involved in production, transformation, distribution and transportation of any farm product contemplated by an application for approval of a joint plan. The Board may also conduct studies as to prices, markets and systems of classification of farm products and as to any other matter related to the marketing of such products. Administrative expenses incurred by the producers' board in carrying out of the marketing plan are to be paid by means of special contributions or collections from the producers subject to the plan.

O N T A R I O

THE FARM PRODUCTS MARKETING ACT, amendment, S.O. 1958, c.27.
See also 1955 bulletin p.28; 1957 supplement p.58.

A clause defining "farm products" as found in R.S.O. 1951, c. 131, is re-enacted. Another clause that had been re-enacted in 1957 was changed slightly to require persons engaged in producing or marketing a regulated product to register with the Board or local board, and furnish information regarding production and marketing as the Board determines. Provision is made for inspection of books, records and premises of those engaged in production and marketing. When the Board receives a petition from any group of producers in Ontario that represents 15 per cent of all the producers affected, it may submit the question to a plebiscite of all producers concerned. A plan may be resubmitted to a plebiscite when a petition is received to have the plan revoked, or when the Board deems it desirable. Plebiscites may also be put into effect to decide the question of amendments to the purpose of a plan, when requested by a local board. Regulations governing plebiscites are outlined.

The Lieutenant-Governor in Council retains the power to make regulations establishing, amending or revoking plans, defining producers or classes of producers, prescribing by-laws governing local boards, dissolving local boards and disposing of assets.

A marketing plan may apply to any part or all of Ontario, to any portion, class, variety, grade or size of farm product and to any person engaged in producing, marketing or processing of one or more farm products.

(b) Grains, feeds and seeds

O N T A R I O

GRAIN ELEVATOR STORAGE ACT, S.O. 1958, c.34.

A Chief Inspector is appointed by the Governor-in-Council to administer and enforce the act. Inspectors are also appointed to carry out assigned duties. The Chief Inspector controls the licensing of grain elevator operators and may suspend or revoke licenses in the case of failure to comply with regulations. Penalties are listed.

Under the act "farm produce" includes beans, cereal grains, corn or grass seed produced in Ontario.

When farm produce is delivered to an elevator for storage, the operator shall issue a storage receipt. No more than one receipt may be issued for one lot of produce, and only a designated agent may sign a receipt. Where more than one delivery is required for one lot of produce, a weigh ticket must be issued for each delivery and they in turn must be surrendered for a grain storage ticket when delivery is complete. An elevator operator must insure the full market value of produce stored against fire, lightning, explosion, windstorm and hail. He must supply the Chief Inspector with information as to the amount and particulars of insurance carried. The amount of produce stored in a grain elevator must correspond to the receipts issued by the operator, and must not exceed the capacity of the elevator. An elevator operator may, under contract, store produce on the premises of another operator licensed under the Act.

The Chief Inspector or an inspector may at any time enter a grain elevator and inspect stored produce and records.

(c) Livestock and livestock products

O N T A R I O

THE MILK INDUSTRY ACT, amendment, S.O. 1958, c.58.

See also 1957 supplement p.60.

A re-enacted clause provides for arbitration by the Milk Industry Board of matters not settled by negotiating committees. The collective bargaining provisions between producers and distributors are expanded to include the determination of conditions upon which a new producer may arrange with a distributor to market his fluid milk. All agreement between producers and distributors must be filed with the Board, and the Board may declare the day on which agreements shall come into force.

6. AGRICULTURAL SOCIETIES AND EDUCATION

O N T A R I O

THE MUNICIPAL ACT, amendment, S.O. 1958, c.64, c.65.

See also 1955 bulletin pp.30,41; 1957 supplement p.62.

Both amendments dealt with the determination of the number of electors in a Municipal election. The first one established that those persons who were on the last revised voters' list as the wife or husband of a land owner or tenant, or as a farmer's daughter, sister or son's wife, would not be eligible to vote. The second amendment changed this ruling to the extent that anyone who was on the last revised list as wife or husband of a land owner, would now be eligible to vote.

7. CO-OPERATIVES

O N T A R I O

CORPORATIONS TAX ACT, amendment, S.O. 1958, c.16.

See also 1955 bulletin p.44; 1957 supplement p.63.

The basis of calculation is outlined to determine the amount of taxable paid-up capital of a corporation operating grain elevators that may be deemed to have been used in a fiscal year in a jurisdiction outside Ontario. Another change provides that the exemption from the 11 per cent income tax as outlined in the 1957 act does not apply to a co-operative corporation whose business is a continuation of a previous

business in which a substantial number of its members had a substantial interest as shareholders.

8. CREDIT UNIONS

Q U E B E C

THE CREDIT UNION ACT , amendment, S.Q. 1957-58, c.16.

See also 1955 bulletin p.45.

The Provincial Government is authorized to make a grant to a credit union or group of credit unions each year for 20 years. Previously the limit had been 12 years. Otherwise the act remains unchanged.

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